



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,733	07/31/2001	Scott D. Sturgeon	10014834-1	4329

7590 09/11/2002

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

NGHIEM, MICHAEL P

ART UNIT	PAPER NUMBER
----------	--------------

2861

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,733

Applicant(s)

STURGEON ET AL.

Examiner

Michael P Nghiem

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period of Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9, 10 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2861

DETAILED ACTION

The Amendment filed June 24, 2002 has been acknowledged.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 11, 12, 14, and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotaki et al. (US 5,619,239).

Kotaki et al. discloses all the claimed features of the invention including:

- an inkjet printer (Figs. 17's) and method for ensuring proper insertion of a detachable printer component (Figs. 4-10) comprising:
 - a chassis (body of printer, Figs. 17's);
 - a motor (mechanism driving 2);
 - a carriage (2) operably secured to the chassis and driven by the motor for reciprocal movement relative to the chassis (Figs. 17a, 17b);

Art Unit: 2861

- a printhead (201) operably secured to the carriage (Figs. 1's), in fluid communication with an ink reservoir (Fig. 4), and in electrical communication with a controller (column 4, lines 3-14, means for controlling ink ejection);

- a mechanism (Fig. 4) for ensuring correct installation of a detachable printer component (21) into a printer (Figs. 17's) comprising:

- a detachable printer component (21) having a top surface (top surface of 21), a toe-end (left end of 21, Fig. 4) and a back end (right end of 21, Fig. 4);

- a mount (103) secured to the printer for detachably receiving the printer component by operably engaging said toe-end and said back end of said detachable printer component (Fig. 4);

- a cover (105) operably secured to said mount extending partially over said toe-end of said detachable printer component when said detachable printer component is secured to said mount defining a neutral position of the cover with respect to the mount such that in order to allow said toe-end to operably engage said mount, said toe-end must be positioned under said cover such that said top surface operably engages said cover (Fig. 7) before said back end is secured to said mount (Fig. 10);

- said detachable printer component is an ink reservoir (21);

- said detachable printer component is an ink/printhead cartridge (21);

- said printer component is a printhead (21);

- said printer is an inkjet printer (Figs. 17's);

- said cover includes a substantially planar top surface (top surface of 105)

Art Unit: 2861

having an angled leading edge lip (105a) for operably engaging the toe-end of said detachable printer component during installation (Fig. 7);

- said cover is biased to said cover's neutral position (Fig. 4).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotaki et al. in view of Pinkerpell et al. (US 4,907,018).

Kotaki et al. does not disclose that said cover is pivotally secured to said mount at a pivot point and able to deflect slightly out of the cover's engaged position to facilitate installation of said detachable printer component.

Nevertheless, Kotaki et al. discloses that a cover (62) is pivotally secured to said mount at a pivot point (attached point of 62, Fig. 6b) and able to deflect slightly out of the cover's engaged position (62 is a spring) for the purpose of securing an ink cartridge (Fig. 6b).

Art Unit: 2861

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide Kotaki et al. with a deflectable cover as disclosed by Pinkerpell et al. for the purpose of securing an ink cartridge.

Allowable Subject Matter

3. Claims 9, 10, and 15 are allowed.

Reasons For Allowance

4. The combination and method as claimed wherein a beam spring extending between said cover and said mount (claim 9) or said cover is a visually distinguishable color from the color of said mount (claims 10, 15) is not disclosed, suggested, or made obvious by the prior art of record.

Response to Arguments

5. Applicant's arguments filed June 24, 2002 have been fully considered but they are not persuasive.

With respect to the 35 USC 102 rejections, Applicants argue that Kotaki does not disclose that in order to allow said toe-end to operably engage said mount, said toe-end

Art Unit: 2861

must be positioned under said cover such that said top surface operably engages said cover before said back end is secured to said mount.

Examiner's position is that Kotaki discloses that said toe-end (left end of 21) must be positioned under said cover (105) such that said top surface operably engages said cover (toe-end of 21 engages 103 under 105, Fig. 7) before said back end is secured to said mount (back end of 21 is secured in 103, Fig. 10).

Applicants further argue that Kotaki does not disclose inserting the toe-end of the printer component into the mount and below the cover to engage the toe-end to the mount and then lowering the back end of the printer component to the mount to engage the back end to the mount.

Examiner's position is that Kotaki discloses inserting the toe-end of the printer component (21) into the mount (103) and below the cover (105) to engage the toe-end to the mount (toe-end engages 103, Fig. 4) and then lowering the back end of the printer component to the mount to engage the back end to the mount (Fig. 6).

Applicants further argue that Kotaki does not disclose a mount secured to the printer for receiving the printer component by engaging said toe-end and said back end of said printer component.

Examiner's position is that Kotaki discloses a mount (103) secured to the printer (103 is secured to the printer) for receiving the printer component by engaging said toe-end and said back end of said printer component (Figs. 4-10).

Art Unit: 2861

With respect to the 35 USC 103 rejections, Applicants argue that Kotaki in combination with Pinkernell does not teach the combination of a mounting portion for engaging the toe-end and back of the printer component and a pivoting cover that is positioned to require that the ink reservoir be inserted into the mount toe-end first beneath the cover, before the back end can engage the mount.

Examiner's position is that Kotaki teaches a mounting portion (103) for engaging the toe-end and back of the printer component (21) and a cover (105) that is positioned to require that the ink reservoir be inserted into the mount toe-end first beneath the cover, before the back end can engage the mount (Figs. 4-10). It is obvious to replace the cover of Kotaki with the pivoting cover (62) of Pinkernell for the purpose of improving the mounting and securing of an ink cartridge.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2861

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (703) 306-3445. The examiner can normally be reached on M-H from 6:30AM – 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten can be reached at (703) 308-0719. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


MICHAEL NGHIEM
PRIMARY EXAMINER
Michael Nghiem

September 9, 2002